

October 10, 2002

Congressman Jim McDermott Remarks on House Joint Resolution 114, To Authorize the Use of United States Armed Forces Against Iraq

We are standing at the abyss of a horrifying war. President Bush himself told us Monday night that this war was neither "imminent nor unavoidable." And yet we are pushing, hurrying, racing against time to give the President our approval of a future war, a war without limits or boundaries, a war waged because the President thinks diplomacy has failed.

I do not believe diplomacy has failed. And I do not believe we have to go to war. President Bush's speech was designed to frighten the American people, and to intimidate the United Nations. It wasn't addressed to us, the Congress, because President Bush and his advisers already believe that they have our backing. But they don't have the backing of the American people. The polls tell us that. Our constituents tell us that. The phone calls and faxes and emails and letters to our offices, running 100 to one, 500 to one against this war, all tell us that. I, for one, am not afraid. And I do not think my colleagues in the House and in the Senate should be afraid either. We should not be afraid of standing up to an unnecessary war. We should not be afraid to stand up to a president when he is wrong. We should not be afraid of the American people; they are right.

President Bush tells us how important it is, for his campaign to win support in the United Nations, that we here in the United States speak with one voice. But we do not have only one voice; we cannot and will not lend our voices to support a war that we know is wrong. When my colleagues and I went to Iraq, we went to tell the Iraqis that they must allow free and unfettered UN inspections. We went to investigate the situation facing Iraqi civilians after 12 years of crippling economic sanctions. And we went knowing that our democracy is strengthened when we see, and hear, and

learn and debate all sides. We didn't have to go to Iraq to know why we're against going to war against Iraq. There are plenty of reasons back home to oppose this juggernaut towards a unilateral preemptive strike on Iraq.

I

The first reason is that disarmament should be on top of our Iraq agenda. And getting the United Nations inspectors back in should be the first step towards accomplishing that task. The UN must be allowed to take the lead; their inspectors were already close to finishing work on the technical arrangements so they could get to work right away. Iraq had proposed the inspection team arrive as early as October 16th.

Initial meetings between Iraqi and UN officials were held in March of this year to begin discussions about the return of inspectors to Iraq after they had been excluded for almost four years. Further meetings were held in May and again on the 4th of July. That July meeting was particularly useful, coming in the context of growing international pressure on Iraq and seeming to set the stage for the serious possibility of inspectors returning to Baghdad. But the next day, July 5th, the Pentagon leaked its latest provocative war plan to the New York Times, calling for a major air attack and land invasion to "topple Saddam Hussein." The Iraqis pulled back.

But pressure continued to build, and in August the Iraqi Parliament invited members of Congress to come to Baghdad with inspectors of our choosing and to look for ourselves. On September 13th I went to New York to meet with Iraqi Foreign Minister Naji Sabri, and told him I would accept his invitation to Iraq with the understanding that the inspectors I would choose to accompany me would be the UNMOVIC inspectors themselves. We talked about the absolute necessity of the UN resuming unfettered inspections in Iraq, and he said they were ready for such inspections, and they understood that if no weapons were found the Security Council would lift the economic sanctions. I made no promises except to say I would

come. Forty-eight hours later, on September 16, Sabri told Kofi Annan that Iraq was prepared to accept the inspectors back into Iraq.

Unfortunately, instead of welcoming this development, it became clear that the Bush administration was not prepared to take Iraq's "yes" for an answer. The State Department's answer to the long-delayed Iraqi acquiescence was to announce that it was now in "thwart mode," determined to prevent the inspections from going forward.

There has been no solid information regarding Iraq's weapons of mass destruction since UNSCOM and IAEA arms inspectors left Iraq in December 1998 in advance of the U.S. Desert Fox bombing operation. Prior to leaving, the last report (November 1998) of the UNSCOM chief Richard Butler stated explicitly that although they had been hindered by Iraqi non-compliance in carrying out a small number of inspections, "the majority of the inspections of facilities and sites under the ongoing monitoring system were carried out with Iraq's cooperation." The IAEA report was unequivocal that Iraq no longer had a viable nuclear program. The UNSCOM report was less definitive, but months earlier, in March 1998, UNSCOM chief Richard Butler said that his team was satisfied there was no longer any nuclear or long-range missile capability in Iraq, and that UNSCOM was "very close" to completing the chemical and biological phases.[\[1\]](#)

Since that time, there have been no verifiable reports regarding Iraq's WMD programs. It is important to get inspectors back into Iraq, but U.S. threats for years made that virtually impossible by setting a "negative incentive" in place. This pattern has been underway for years. It began when then-Secretary of State Warren Christopher announced in April 1994 that the U.S. was no longer bound by the UN resolution's language promising an end to sanctions when disarmament of Iraq's WMD programs was complete. Similarly, in 1997 Christopher's successor, Madeleine Albright, affirmed that economic sanctions would remain as long as Saddam Hussein

was in power -- regardless of the UN position linking sanctions only to the WMD programs. So Baghdad was told that sanctions would remain regardless of Iraqi compliance with UN disarmament requirements. Similarly, the U.S. message today is that a U.S. military strike will likely take place regardless of Iraq's compliance with UN resolutions regarding inspections, so they have no reason to implement their own obligations. If the United States refuses to abide by the requirements of UN resolutions and the rule of international law, why are we surprised when an embattled and tyrannical government does the same thing?

Inspections remain vitally important. Throughout the 1980s the U.S. sent to Baghdad a lethal assortment of high-quality germ seed stock for anthrax, botulism, E.coli, and a host of other deadly diseases. It is certainly possible that scraps of Iraq's earlier biological and chemical weapons programs remain in existence, but their shelf life is likely only three or four years. More significantly, since it is also possible (though we have seen no evidence) that Iraq has manufactured additional chemical or biological weapons material, Iraq has no delivery system capable of using them against the U.S. or U.S. allies. The notion that the U.S. must go to war against Iraq because of the existence of tiny amounts of biological material, insufficient for use in missiles or other strategic weapons and which *the U.S. itself provided* during the years of the U.S.-Iraq alliance in the 1980s, is simply unacceptable.

Regarding the nuclear level threat, the IAEA confirmed in 1998 that Iraq had no viable nuclear weapons program. Despite constant allegations, we still have seen no clear evidence that Iraq is anywhere close to being able to manufacture a nuclear weapon. The breathless claim that "if it obtained sufficient fissile material and massive external assistance" Iraq could manufacture a nuclear weapon in one year is simply spurious. The same statement could be said for Cameroon or Vanuatu -- that's why we have military sanctions and that's why we ought to hold the Non-Proliferation Treaty (NPT) and other disarmament treaties in much higher regard.

Pretty much the whole world believes that inspections and disarmament should be our goal -- not the overthrow of the government in Iraq. The Bush administration knows it is isolated in the world on this issue: to say that the U.S. goal is regime overthrow, rather than disarmament would violate the UN Charter.

II

The second reason we should oppose this war has to do with its impact on our relations with allies all over the world. There is virtually no international support, at the governmental or public level, for a U.S. attack on Iraq. Our closest allies throughout Europe, in Canada, and elsewhere, have made clear their opposition to a military invasion. While they recognize the Iraqi regime as a brutal, undemocratic regime, they do not support a unilateral preemptive military assault as an appropriate response to that regime. Our European friends are pleading with us not to go to war, reminding us that disarmament, starting with inspections, is their goal. Russia and China say the same thing. Are we to simply ignore our friends' opinions and go it alone?

Throughout the Middle East, the Arab states, including our closest allies, have made unequivocal their opposition to an invasion of Iraq. Even Kuwait, once the target of Iraqi military occupation and ostensibly the most vulnerable to Iraqi threats, has moved to normalize its relations with Baghdad. The Arab League-sponsored rapprochement between Iraq and Kuwait at the March 2002 Arab Summit is now underway, including such long-overdue moves as the return of Kuwait's national archives. Iraq has now repaired its relations with every Arab country, and not a single one of Iraq's neighbors publicly supports a U.S. war. Turkey has refused to publicly announce its agreement to allow use of its air bases, and Jordan and other Arab countries have made clear their urgent plea for the U.S. to abjure a military attack on Iraq.

Again, it is certain unlikely that a single government in the region would ultimately stand against a U.S. demand for base rights, use of airspace or overflight rights, or access to any other facilities. The question we must answer therefore is not whether our allies will ultimately accede to our wishes, but just how high a price are we prepared to exact from our allies? Virtually every Arab government, especially those most closely tied to the U.S. (Jordan and Egypt, perhaps even Saudi Arabia) will face dramatically escalated popular opposition. The existing crisis of legitimacy faced by these non-representative regimes, absolute monarchies and president-for-life style democracies, will be seriously exacerbated by a U.S. invasion of Iraq. Region-wide instability may be expected to result, and some of those governments might even face the possibility of being overthrown.

In the entire Middle East region, only Israel supports the U.S. build-up to war in Iraq. Prime Minister Sharon has made no secret of his view that the chaos caused by a U.S. attack on Iraq might well provide him with the opportunity for a large-scale escalation against the Palestinians.

When President Bush repeats his mantra that "you are either with us or with the terrorists," no government in the world wants to stand defiant. But a foreign policy based on international coercion and our allies' fear of retaliation for noncompliance, is not a policy that will protect Americans and our place in the world.

III

Still another reason to oppose this war has to do with the human toll. During the Viet Nam war, I was a lieutenant commander in the U.S. Navy Medical Corps. My job, as a psychiatrist, was to treat young soldiers who returned from that war terribly damaged by what they saw and what they suffered. I carry those memories with me still.

While official estimates of casualties among U.S. service personnel are not public, we can be certain they will be much higher than in the current war in Afghanistan. We do know, from Pentagon estimates of two years ago, the likely death toll among Iraqi civilians: about 10,000 Iraqi civilians would be killed.

The most recent leaked military plan for invading Iraq, the so-called "inside-out" plan based on a relatively small contingent of U.S. ground troops with heavy reliance on air strikes, would focus first and primarily on Baghdad. In fact, all of the leaked military plans begin with air assaults on Baghdad. The Iraqi capital is described as being ringed with Saddam Hussein's crack troops and studded with anti-aircraft batteries. Those charges may or may not be true. But what is never mentioned in the military planning documents is the inconvenient fact that Baghdad is also a crowded city of five million or more people; a heavy air bombardment would cause the equivalent human catastrophe of -- and look very similar to -- a heavy air bombardment of Los Angeles.

And it is here that my trip to Iraq taught me a great deal. It reminded me again of the costs of war. I remembered again what Iraqis would suffer with this war. My colleagues and I visited hospitals, where we saw young cancer patients dying before their mothers' eyes from lack of chemotherapy drugs.

Further, the destruction of civilian infrastructure such as water, electrical and communications equipment, would lead to tens, perhaps hundreds of thousands of more civilian deaths, particularly among children, the aged and others of the most vulnerable sectors. We can anticipate that such targeted attacks would be justified by claims of "dual use." But if we look back to the last U.S. war with Iraq, we know that the Pentagon planned and carried out studies ahead of time, documenting the likely impact on civilians of specific attacks. In one case, Pentagon planners anticipated that striking Iraq's civilian infrastructure would cause "Increased incidence of diseases [that] will be attributable to degradation of normal preventive

medicine, waste disposal, water purification/ distribution, electricity, and decreased ability to control disease outbreaks...." The Defense Intelligence Agency's document (posted on the Pentagon's Gulflink website), is titled "Disease Information -- Subject: Effects of Bombing on Disease Occurrence in Baghdad" and is dated 22 January 1991, just six days after the war began. It itemized the likely outbreaks of diseases to include: "acute diarrhea" brought on by bacteria such as E. coli, shigella, and salmonella, or by protozoa such as giardia, which will affect "particularly children," or by rotavirus, which will also affect "particularly children." And despite this advance knowledge, the bombing of the water treatment systems proceeded, and indeed, according to UNICEF figures, hundreds of thousands of Iraqis, "particularly children," died from the effects of dirty water. Just as predicted.

I traveled with my colleagues to the southern city of Basra, where we heard from physicians that the first question new mothers ask after giving birth is not whether the baby is a boy or a girl, but whether it is normal or not -- because the rates of birth defects are so high. Many think those high rates of birth defects, skyrocketing rates of leukemia and other cancers, have something to do with the depleted uranium weapons our military used so efficiently during the war 12 years ago.

Many of our own Gulf War veterans -- and their children -- are also suffering higher than normal rates of cancers and birth defects. And the Veterans Administration medical care budget has just been slashed. Do we want to go to war again, a war that will cost perhaps \$60 to \$100 billion, and create a whole new generation of wounded veterans, along with too many who will not come home at all? We have not yet heard an answer from the Pentagon to the question of how they plan to protect our men and women in uniform -- as well as vulnerable Iraqi civilians -- from the danger of depleted uranium weapons. So far the Pentagon has still not conducted the full-scale scientific study of the impact of DU on the human body. We should not go to war to use our troops as guinea pigs again.

IV

I oppose this war because it is a war of empire, not of legitimate self-defense. We claim to be a nation of laws. But too often we are prepared to put aside the requirements of international law and the United Nations Charter to which we hold other nations appropriately accountable.

When it comes to policy on Iraq, the U.S. has a history of sidelining the central role that should be played by the United Nations. This increasingly unilateralist trajectory is one of the main reasons for the growing international antagonism towards the U.S. By imposing its will on the Security Council -- insisting on the continuation of economic sanctions when virtually every other country wants to lift them, announcing its intention to ignore the UN in deciding whether to go to war against Iraq -- the U.S. isolates us from our allies, antagonizes our friends, and sets our nation apart from the international systems of laws that govern the rest of the world. This does not help, but rather undermines, our long-term security interests.

International law does not allow for preemptive military strikes, except in the case of extreme emergency to prevent an immediate attack. President Bush himself told us on October 7th that war with Iraq is "neither imminent nor unavoidable." Therefore it does not qualify as self-defense under the UN Charter. We simply do not have the right -- no country does -- to launch a war against another country that has not attacked us. If the Pentagon had been able to scramble a jet to take down the second plane flying into the World Trade Center last September, that would be a legal use of preemptive self defense. An attack on Iraq -- which does not have the capacity, and has not for a decade or more shown any specific intention or plan or effort to attack the U.S. -- violates international law and the UN Charter.

The Charter, in Article 51, outlines the terms under which a Member State of the United Nations may use force in self-defense. That Article acknowledges a nation's "inherent right of individual or collective self-defense *if an armed attack occurs* against a member of the United Nations, *until* the Security Council has taken measures necessary to maintain international peace and security." [Emphasis added.] The Charter does not allow military force to be used absent an armed attack having occurred.

Some administration spokespeople are fond of a sound bite that says "the UN Charter is not a suicide pact." Others like to remind us that Iraq (and other nations) routinely violate the Charter. Both statements are true. But the United States has not been attacked by Iraq, and no evidence has been brought forward that Iraq is anywhere close to being able to carry out such an attack. The U.S. is the strongest international power -- in terms of global military reach, economic, cultural, diplomatic and political power -- that has ever existed throughout history. If the United States -- with such massive global power -- does not recognize the UN Charter and international law as the foundation of global security and hold ourselves accountable to them, how can we expect others to do so?

V

President Bush's October 7th speech was clearly designed to frighten the American people. Once again that speech disingenuously linked the true horror and legitimate fear of the September 11th attacks with an implied connection to Iraq. The events of September 11 must never happen again, the president proclaims, and we will go to war against Iraq to make sure that they don't.

Few of us in the Congress, and too few journalists and pundits, stood to challenge that claim, to remind the American people that no link has been shown between Iraq and the events of September 11th. That there is a war against terrorism that has so far failed to find the perpetrators of those

events. That of all the four thousand or more people killed in Afghanistan, not one of them was named Osama Bin Laden.

It is now clear that (despite intensive investigative efforts) there is simply no evidence as yet of any Iraqi involvement in the terror attacks of September 11. The most popular theory, of a Prague-based collaboration between one of the 9/11 terrorists and an Iraqi official, has collapsed. On July 17th, the *Prague Post* quoted the director general of the Czech foreign intelligence service UZSI (Office of Foreign Relations and Information), Frantisek Bublan, denying the much-touted meeting between Mohamed Atta, one of the 9/11 hijackers, and an Iraqi agent. The Czech Republic simply had no evidence that such a meeting ever took place, he said.

More significantly, the Iraqi regime's brutal treatment of its own population has generally not extended to international terrorist attacks. The State Department's own compilation of terrorist activity in its 2001 Patterns of Global Terrorism, released May 2002, does not document a single serious act of international terrorism by Iraq. Almost all references are to political statements.

We are told that we must go to war preemptively against Iraq because Baghdad might, some time in the future, succeed in crafting a dangerous weapon and might, some time in the future, give that weapon to a terrorist group --maybe Osama bin Laden -- who might, some time in the future, use that weapon against the U.S. The problem with this analysis, aside from the fact that preemptive strikes are illegal under international law, is that it ignores the widely known historic antagonism between Iraq and bin Laden. According to the *New York Times*, "shortly after Iraqi forces invaded Kuwait in 1990, Osama bin Laden approached Prince Sultan bin Abdelaziz al-Saud, the Saudi defense minister, with an unusual proposition. ... Arriving with maps and many diagrams, Mr. Bin Laden told Prince Sultan that the kingdom could avoid the indignity of allowing an army of American unbelievers to enter the kingdom to repel Iraq from Kuwait. He

could lead the fight himself, he said, at the head of a group of former *mujahideen* that he said could number 100,000 men."[\[2\]](#) Even if bin Laden's claim to be able to provide those troops was clearly false, bin Laden's hostility towards the ruthlessly secular Iraq remained evident. There is no evidence that that has changed.

Ironically, an attack on Iraq would increase the threat to U.S. citizens throughout the Middle East and beyond, as another generation of young Iraqis come to identify Americans only as the pilots of high-flying jet bombers and as troops occupying their country. While today American citizens face no problems from ordinary people in the streets of Baghdad or elsewhere in Iraq, as I found during my visit to Iraq in September 2002, that situation would likely change in the wake of a U.S. attack on Iraq. In other countries throughout the Middle East, already palpable anger directed at U.S. threats would dramatically escalate and would provide a new recruiting tool for extremist elements bent on harm to U.S. interests or U.S. citizens. It would become far more risky for U.S. citizens to travel abroad.

VI

Many accusations have been made regarding the role of oil in this war. What is clear is that the public statements of some in the private sector match the undenied whispers of others, such as administration figures themselves. Those statements include the intention to render null and void all existing oil exploration contracts signed between Iraq and various national oil companies, particularly those of France and Russia, when the current Iraqi regime is replaced after a U.S. war. I do not want to support a war partly designed to redraft the global oil markets in the interest of undermining French or Russian oil companies and privileging our own.

VII

Any of us who are serious about opposing this war must also be serious

about alternatives to war. We must take seriously the threat of weapons of mass destruction in Iraq. Disarmament must be on top of our agenda. We must support the weapons inspection team, not undermining it. We must support the United Nations, not threatening it with irrelevance if its member states don't agree with our war.

And we should go beyond the existing efforts to get serious about military sanctions. Denying Iraq access to weapons is not sufficient, nor can it be maintained as long as Iraq is surrounded by some of the most over-armed states in the world. U.S. weapons shipments to all countries in the region aggravate this situation and, as the biggest arms exporter in the world, the U.S. can change it.

We can expand the application of military sanctions as defined in UN Resolution 687. Military sanctions against Iraq should be tightened -- by expanding them to a system of regional military sanctions, thus lowering the volatility of this already arms-glutted region. Article 14 of resolution 687 -- the same resolution that calls for sanctions, inspections and destruction of Iraq's WMD programs -- points the way. It recognizes that the disarmament of Iraq should be seen as a step towards "the goal of establishing in the Middle East a zone free from weapons of mass destruction and all missiles for their delivery and the objective of a global ban on chemical weapons."

We are told we must attack Iraq preemptively so that it can never obtain nuclear weapons. While we know from IAEA inspectors that Iraq's nuclear program was destroyed by the end of 1998, we do not know what has developed since. We do know, however, a few things. We know that nuclear facilities are of necessity large, visible to surveillance satellites, and detectable by a host of telltale chemical and radiological footprints. Such facilities cannot be mounted on the back of a pick-up truck. Our intelligence indicates that Iraq does not have access to fissile material, without which any nuclear program is a hollow shell. And we know where fissile material

is. Protection of all nuclear material, including insuring continuity of the funding for protection of Russian nuclear material, must be an on-going priority.

We should note that U.S. officials are threatening a war against Iraq, a country known *not* to possess nuclear weapons. Simultaneously, the administration is continuing appropriate negotiations with North Korea, which *does* have something much closer to nuclear weapons capacity. Backed by IAEA inspections, the model of negotiations and inspections is exactly what the U.S. should be proposing for Iraq.

VIII

And what about "the day after"? There is no democratic opposition ready to take over in Iraq. Far more likely than the creation of an indigenous, popularly-supported democratic Iraqi government, would be the replacement of the current regime with one virtually indistinguishable from it except for the man at the top. In February 2002 *Newsweek* magazine profiled the five leaders said to be on Washington's short list of candidates to replace Saddam Hussein. The Administration has not publicly issued such a list of its own, but it certainly typifies the model the U.S. has in mind. All five of the candidates were high-ranking officials within the Iraqi military until the mid-1990s. All five have been linked to the use of chemical weapons by the military; at least one admits it. The legitimacy of going to war against a country to replace a brutal military leader with another brutal leader must be challenged.

And whoever is installed in Baghdad by victorious U.S. troops, it is certain that a long and possibly bloody occupation would follow. The price would be high; Iraqis know better than we do how their government has systematically denied them civil and political rights. But they hold *us* responsible for stripping them of their economic and social rights -- the right to sufficient food, clean water, education, medical care -- that together

form the other side of the human rights equation. Economic sanctions have devastated Iraqi society. After twelve years, those in Washington who believe that *Iraqis* accept the popular inside-the-Beltway mantra that "sanctions aren't responsible, Saddam Hussein is responsible" for hunger and deprivation in Iraq, are engaged in wishful thinking. The notion that everyone in Iraq will welcome as "liberators" those whom most Iraqis hold responsible for 12 years of crippling sanctions is simply naive. Basing a military strategy on such wishful speculation becomes very dangerous -- in particular for U.S. troops themselves.

IX

A U.S. invasion of Iraq would risk the lives of U.S. military personnel and kill potentially thousands of Iraqi civilians; it is not surprising that many U.S. military officers, including some within the Joint Chiefs of Staff, are publicly opposed to a new war against Iraq. Such an attack would violate international law and the UN Charter, and isolate us from our friends and allies around the world. An invasion would complicate the return of UN arms inspectors, and will cost billions of dollars urgently needed at home. And at the end of the day, an invasion will not insure stability, let alone democracy, in Iraq or the rest of the volatile Middle East region. Rather, it will put American civilians at greater risk than they are today.

We need disarmament, not a war for empire, oil, or "regime change." We need the UN inspectors to go in and finish their work. Until they do, we simply don't know what weapons Iraq has or doesn't have.

Let us not go to war, in pursuit of oil or power or the blandishments of empire. War is too important and its consequences too disastrous.

[1] Butler meeting with UN-accredited disarmament organizations, New York, 12 February 1998.

[2] Douglas Jehl, "Holy War Lured Saudis as Rulers Looked Away," *New York Times*, December 27, 2001.